

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 10/4/21

Harleysville Worcester Insurance Company, et al.,

Plaintiffs,

—v—

Consigli & Associates, LLC, et al.,

Defendants.

21-cv-934 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On April 12, 2021, Defendant 99 Wall Development, Inc. filed a third-party complaint against third-party Defendant National Union Fire Insurance Company of Pittsburgh, PA. Dkt. No. 39. National Union on July 20, 2021, filed a motion to dismiss the third-party complaint. Dkt. No. 68. The Court then notified 99 Wall of its right to amend the third-party complaint. Dkt. No. 69. On August 10, 2021, 99 Wall exercised that right and filed an amended third-party complaint. Dkt. Nos. 73, 77. On August 23, 2021, National Union filed an answer to that amended third-party complaint. Dkt. No. 85. The Court therefore DENIES as moot National Union's motion to dismiss dated July 20, 2021.

Additionally, on April 2, 2021, Defendant Consigli & Associates, LLC filed an answer to Plaintiffs Harleysville's complaint, which included counterclaims against Harleysville. Dkt. No. 32. On August 17, 2021, Consigli filed a motion to amend to add a crossclaim against Defendant Zurich American Insurance Company and a third-party claim against National Union, both of which are already parties to the action. Motion to Amend, Dkt. No. 80; Consigli Br., Dkt. No. 81. Opposition to the motion to amend was due by August 31, 2021. Dkt. No. 93. No

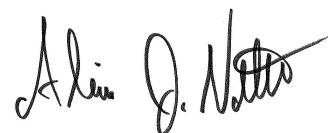
party filed an opposition to the motion, and the Court deems Consigli's motion to amend unopposed.

For substantially the reasons in Consigli's brief, the Court GRANTS Consigli's unopposed motion to amend. Dkt. No. 80.

This resolves docket numbers 68, 80.

SO ORDERED.

Dated: October 4, 2021
New York, New York



ALISON J. NATHAN
United States District Judge